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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

AMERICAN BROADCASTING  
COMPANIES, INC., DISNEY  
ENTERPRISES, INC., TWENTIETH  
CENTURY FOX FILM CORPORATION,  
CBS BROADCASTING INC., CBS STUDIOS  
INC., FOX TELEVISION STATIONS, LLC,  
FOX BROADCASTING COMPANY, LLC,  
NBCUNIVERSAL MEDIA, LLC,  
UNIVERSAL TELEVISION LLC, and OPEN  
4 BUSINESS PRODUCTIONS, LLC,

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
DOC #: \_\_\_\_\_  
DATE FILED: 1/25/21

No. 19-cv-7136 (LLS)

Plaintiffs,

v.

DAVID R. GOODFRIEND and SPORTS  
FANS COALITION NY, INC.,

Defendants.

**FIFTH JOINT STIPULATION AND [PROPOSED] ORDER  
MODIFYING CASE SCHEDULING ORDER**

Plaintiffs American Broadcasting Companies, Inc., Disney Enterprises, Inc., Twentieth Century Fox Film Corporation, CBS Broadcasting Inc., CBS Studios Inc., Fox Television Stations, LLC, Fox Broadcasting Company, LLC, NBCUniversal Media, LLC, Universal Television LLC, and Open 4 Business Productions, LLC (“Plaintiffs”), and Defendants David R. Goodfriend and Sports Fans Coalition NY, Inc. (“Defendants”), by and through their counsel, respectfully submit this Fifth Joint Stipulation and Proposed Order Modifying the Scheduling Order in the above-captioned matter.

On January 31, 2020, this Court entered an initial Scheduling Order with deadlines set through the close of expert discovery on September 11, 2020. At the parties’ joint request, this Court on May 12, 2020 entered an Order modifying the case schedule by extending the existing

deadlines by eight weeks. On July 6, 2020, September 3, 2020, and November 13, 2020, the Court entered additional Orders modifying the case schedule by extending the existing deadlines by approximately eight weeks each time.

As discussed with the Court during the status conference on January 15, 2021, the parties respectfully request that the Court enter the parties' agreed-upon modifications to the expert discovery schedule below, as well as the additional deadlines for summary judgment, Daubert motions, and the pretrial order, as well as the trial-ready date. This is the fifth time the parties have sought an extension or modification to the case schedule.

IT IS HEREBY STIPULATED AND AGREED, subject to the Court's approval, that the following deadlines are extended pursuant to the table below:

| Event   | Current Deadline          | New Deadline                |
|---|---------------------------|-----------------------------|
| Burden-of-proof expert reports  | Friday, January 22, 2021  | Thursday, February 18, 2021 |
| Rebuttal expert reports   | Friday, February 19, 2021 | Thursday, March 18, 2021    |
| Expert discovery completed  | Friday, March 19, 2021    | Thursday, April 8, 2021     |
| Opening summary judgment briefs   | N/A                       | Thursday, April 29, 2021    |
| Summary judgment oppositions  | N/A                       | Thursday, May 27, 2021      |
| Summary judgment replies  | N/A                       | Thursday, June 10, 2021     |
| Motions objecting to the reliability of an expert's proposed testimony under Rule 702 of the Federal Rules of Evidence                  | N/A                       | Thursday, June 17, 2021     |
| Oppositions to motions objecting to the reliability of such experts' proposed testimony under Rule 702 of the Federal Rules of Evidence | N/A                       | Thursday, July 8, 2021      |

|  |     |  |
|--|-----|--|
| Replies in support of motions objecting to the reliability of such experts' proposed testimony under Rule 702 of the Federal Rules of Evidence   | N/A | Thursday, July 22, 2021                  |
| Plaintiffs will initiate the pretrial order materials process to Defendants pursuant to the Court's Individual Practices   | N/A | Thursday, June 17, 2021                  |
| Parties' submission of a pre-trial order in a form conforming with the Court's instructions together with trial briefs and either (1) proposed findings of fact and conclusions of law for a non-jury-trial; or (2) proposed voir dire questions and proposed jury instructions for a jury trial | N/A | Thursday, August 19, 2021                |
| <u>Trial-Ready</u> <u>Final Pretrial Conference</u>  | N/A | Thursday, September 16, 2021<br>at 3 PM. |

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Dated: January 22, 2021

Respectfully submitted,

/s/ Elizabeth E. Brenckman

R. David Hosp  
Elizabeth E. Brenckman  
ORRICK, HERRINGTON & SUTCLIFFE LLP  
51 West 52nd Street  
New York, NY 10019  
Tel: (617) 880-1886  
                  (212) 506-3535  
dhosp@orrick.com  
ebrenckman@orrick.com

Mark S. Puzella (*pro hac vice*)  
Sheryl Koval Garko (*pro hac vice*)  
Caroline Koo Simons  
222 Berkeley Street, Suite 2000  
Boston, MA 02116  
Tel: (617) 880-1896  
                  (617) 880-1919  
mpuzella@orrick.com  
sgarko@orrick.com  
csimons@orrick.com

Mitchell L. Stoltz  
Electronic Frontier Foundation  
815 Eddy Street  
San Francisco, CA 94109  
Tel: (415) 436-9333  
mitch@eff.org

*Attorneys for Defendants David R. Goodfriend  
and Sports Fans Coalition NY, Inc.*

On this 22<sup>nd</sup> day of January, 2021,

Approved By:

Louis L. Stanton  
The Honorable Louis L. Stanton  
United States District Judge

/s/ Thomas G. Hentoff

Gerson A. Zweifach  
Thomas G. Hentoff (*pro hac vice*)  
Joseph M. Terry (*pro hac vice*)  
Tian Huang (*pro hac vice*)  
Jean Ralph Fleurmont (*pro hac vice*)  
WILLIAMS & CONNOLLY LLP  
725 Twelfth Street, N.W.  
Washington, DC 20005

650 Fifth Avenue  
Suite 1500  
New York, NY 10019

Tel: (202) 434-5000  
gzweifach@wc.com  
thentoff@wc.com  
jterry@wc.com  
thuang@wc.com  
jfleurmont@wc.com

*Attorneys for All Plaintiffs*

Paul D. Clement (*pro hac vice*)  
Erin E. Murphy (*pro hac vice*)  
KIRKLAND & ELLIS LLP  
1301 Pennsylvania Avenue, NW  
Washington, DC 20004

Tel: (202) 389-5000  
paul.clement@kirkland.com  
erin.murphy@kirkland.com

*Attorneys for Plaintiffs Fox Television  
Stations, LLC and Fox Broadcasting  
Company, LLC*